# UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION www.flmb.uscourts.gov

In re:	)	
DWIGHT DONALD RICHERT and	)	Case No.: 6:19-bk-00179-KSJ
HOLLY BERRY RICHERT	)	
	)	
Debtors.	)	

## NOTICE OF APPEARANCE, REQUEST FOR NOTICE AND RESERVATION OF RIGHTS

Please take notice that the undersigned attorney appears for Soneet R. Kapila, as Chapter 7 Trustee of Richert Funding, LLC ("<u>Trustee</u>") and pursuant to, *inter alia*, F.R.B.P., Rules 2002 and 9007 and §1109(b) of the Bankruptcy Code, requests that all notices given or required to be given in this case, and all papers served or required to be served in this case, be provided to and served upon the undersigned.

PLEASE TAKE NOTICE this request includes not only the notices and papers referred to in the Bankruptcy Rules set forth above, but also includes, without limitation, any and all other orders and notices of application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral, and whether transmitted by or conveyed by mail, courier service, hand delivery, telephone, facsimile transmission, telegraph, telex, or otherwise that (1) affects or seeks to affect in any way any rights or interests of any creditor or party-in-interest in this case, including Trustee with respect to: (a) the debtor; (b) property of the estate, or proceeds thereof, in which the debtor may claim an interest; or (c) property or proceeds thereof in the possession, custody or control of others that the debtor may seek to use; or (2) requires or seeks to require any act, delivery of any property, payment, or other conduct by Trustee.

PLEASE TAKE NOTICE that neither this Notice of Appearance nor any later appearance, pleading, claim, or suit shall constitute a submission to this court's jurisdiction nor waive any (1) right to object to jurisdiction, (2) right to have final orders in noncore matters entered only after de novo review by a District Judge, (3) right to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (4) right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (5) other rights, claims, actions, defenses, setoffs, recoupments, or remedies to which Trustee is or may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs, recoupments, and remedies are expressly reserved.

Dated: January 12, 2019. Respectfully submitted, **AKERMAN LLP** 

#### s/ Jules S. Cohen

Jules S. Cohen, Esquire, Florida Bar Number: 014520 Samual A. Miller, Esquire, Florida Bar No. 034491 Esther McKean, Esquire, Florida Bar Number: 28124

#### **AKERMAN LLP**

Post Office Box 231 Orlando, FL 32802-0231 Phone: (407) 423-4000 Fax: (407) 843-6610

Email: jules.cohen@akerman.com E-mail: samual.miller@akerman.com Email: esther.mckean@akerman.com

and

Michael I. Goldberg, Esquire, Florida Bar No.: 886602

Las Olas Centre II, Suite 1600

350 East Las Olas Blvd.

Ft. Lauderdale, FL 33301-2229

Phone: (954) 463-2700

Fax: (954) 463-2224

E-mail: michael.goldberg@akerman.com

Attorneys for Soneet R. Kapila, Chapter 7 Trustee of

Richert Funding, LLC

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of January, 2019, I caused the foregoing Notice of Appearance, Request for Notice and Reservation of Rights to be served electronically on all parties receiving CM/ECF notification in this case and by United States Mail, postage prepaid, on Dwight D. and Holly B. Richert, P.O. Box 1886, Windermere, FL 34786 and Jason S. Rigoli, Esq., Furr & Cohen, P.A., 2255 Glades Road, Suite 301E, Boca Raton, FL 33431.

By: <u>/s/ Jules S. Cohen</u> Jules S. Cohen, Esquire